

REMARKS/ARGUMENTS

In the above-mentioned Office Action, the Examiner determined that Groups I-IV were subject to a restriction requirement for allegedly claiming more than one distinct invention, and should Group I be elected, then Applicant must additionally elect one "species" from Species Ia through Im.

Non-elected claims 31-76 are cancelled without prejudice or disclaimer, and new dependent claims 95-104 are added.

In response, Group I, claims 1-30 and 77-94, is hereby elected without traverse for further prosecution in this application, and Species 1i is elected with traverse for prosecution on the merits should no generic claim be finally held to be allowable.

Claims 77-80 are cancelled without prejudice or disclaimer.

Dependent claims 82-84, 94 and 95-104 read on the elected "species," as do independent claims 1, 12, 81 and 92 from which these dependent claims depend.

Additionally, new independent claim 105 and new dependent claims 106-113 have been added. Applicant contends that these claims are in elected Group I and read on Species 1i.

It is respectfully submitted that the species election requirement is improper, should be withdrawn and that examination on the merits should then proceed. MPEP 806.04(e) provides that "[c]laims are never species" (emphasis added), as the Examiner has designated in the Office Action. Rather, "[s]pecies are always the specifically different embodiments." These different embodiments can be shown, for example, by different drawing figures in the application.

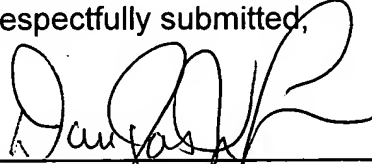
If there are any questions or issues concerning this response, the Examiner is encouraged to telephone the below-signed counsel for Applicant at (213) 689-5142 to seek to resolve them.

Serial No.: 10/816,231

PATENT
Atty Docket No.: 47434-00057

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853.

Respectfully submitted,



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